

ASSEMBLY, No. 5194

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 4, 2021

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

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District 38 (Bergen and Passaic)

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District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblywomen Vainieri Huttie and Jasey

SYNOPSIS

Establishes ranking criteria for certain nonpoint source pollution control grants issued by DEP.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/3/2021)

1 AN ACT concerning certain nonpoint source pollution control grants
2 and supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. No later than one year after the effective date of this act
8 and to the extent allowable under the federal act, the department
9 shall establish a ranking system for nonpoint source pollution
10 control grants issued pursuant to P.L.1977, c.74 (C.58:10A-1 et
11 seq.), including grants that utilize Corporation Business Tax
12 revenues appropriated pursuant to Article VIII, Section II,
13 paragraph 6, subparagraph (a) of the New Jersey Constitution or
14 federal funds allocated to the State pursuant to 33 U.S.C. s.1329 or
15 33 U.S.C. s.1384.

16 b. The ranking system shall include, but not be limited to,
17 priority to a project that is located:

18 (1) in an area that is served by a stormwater utility established
19 pursuant to P.L.2019, c.42 (C.40A:26B-1 et al.);

20 (2) in a municipality that has adopted an ordinance prohibiting
21 the application of lawn fertilizers;

22 (3) in an area that has experienced recent economic hardship as a
23 result of nonpoint source pollution limiting the uses of a nearby
24 waterbody; or

25 (4) in a municipality that has adopted an ordinance imposing
26 maintenance and inspection requirements on the owners and
27 operators of septic systems, including, but not limited to:

28 (a) a maximum duration of one year between inspections of the
29 system;

30 (b) authorizing systems to be inspected by the Department of
31 Health; and

32 (c) record-keeping requirements.

33

34 2. This act shall take effect immediately.

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37 STATEMENT

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39 This bill would require the Department of Environmental
40 Protection (DEP) to establish, to the extent allowable under the
41 federal "Clean Water Act," a ranking system for nonpoint source
42 pollution control grants it issues pursuant to the "Water Pollution
43 Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.).

44 Under the bill, the ranking system would include, but not be
45 limited to, priority to projects that are located (1) in an area that is
46 served by a stormwater utility, (2) in a municipality that has an
47 ordinance prohibiting the use of lawn fertilizers, (3) in an area that
48 has experienced recent economic hardship because nonpoint source

1 pollution has limited the uses of a nearby waterbody, or (4) in a
2 municipality that has an ordinance imposing maintenance and
3 inspection standards on the owners and operators of septic systems.

4 The DEP's current nonpoint source pollution control grant
5 program, known as "The Water Quality Restoration Grant
6 Program," uses Corporation Business Tax revenues appropriated
7 pursuant to Article VIII, Section II, paragraph 6, subparagraph (a)
8 of the New Jersey Constitution and federal funds allocated to the
9 State pursuant to the federal "Clean Water Act."